

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for February 15, 2006 PLANNING COMMISSION MEETING

P.A.S.: Co. Special Permit #06002

PROPOSAL: A special permit to locate a temporary mobile home for health reasons.

LOCATION: S. W. 14th and W. Princeton Rd.

WAIVER REQUEST: NA

LAND AREA: 12.00 acres, more or less.

CONCLUSION: This second unit/trailer is documented for health related reasons and meets the intent of the County Board for the use of this provision.

<u>RECOMMENDATION:</u>

Conditional Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: A 200 foot by 200 foot area located at the southwest corner of Lot 3, I.T., Located in the NE 1/4 of Section 21 T7N, R6E of the 6th P.M., Lancaster County, Nebraska.

EXISTING ZONING: AG Agriculture

EXISTING LAND USE: Acreage dwelling with outbuildings, two trailers and junk vehicles.

SURROUNDING LAND USE AND ZONING:

North: Farm land and farm dwelling zoned AG Agriculture

South: Farm land zoned AG Agriculture

East: Farm land zoned AG Agriculture

West: Farm land zoned AG Agriculture

ASSOCIATED APPLICATIONS: None

HISTORY: Changed from AA Rural and Public Use to AG Agricultural in the 1979 zoning update.

COMPREHENSIVE PLAN SPECIFICATIONS: The 2025 Plan shows this as Agriculture. This is outside the Lincoln Growth Tiers. Language in the plan states;

A variety of housing choices should apply to acreage residential development as well as urban areas. (Page F 69)

Plan for sufficient and varied choices for the location of elderly housing.(page F 72)

Evaluate the provisions for accessory dwelling units in residential areas. (Page F 72)

UTILITIES: None, private well and lagoon only. To use the existing system jointly.

TOPOGRAPHY: Generally rolling with a drainage way running north south through the lot.

TRAFFIC ANALYSIS: S.W. 14th and W. Princeton Road are gravel County roads.

PUBLIC SERVICE: This is in the Hallam Rural Fire District, Norris School District # 160 and Norris Public Power District.

REGIONAL ISSUES: Trailers and mobile homes.

ENVIRONMENTAL CONCERNS: There are no identified Historic resources. There is a drainage way by the site. This is below a small dam. There is FEMA floodplain shown through the lot but not at the location of the trailer. There is substantial "junk" on the site. Debris from the Hallam tornado is buried at the east side of this parcel.

AESTHETIC CONSIDERATIONS: n/a

ALTERNATIVE USES: n/a

ANALYSIS:

1. This request is for a mobile home, under the provisions of Article 13.001(28), "Temporary residences (trailers) renewed annually", to be located within a 200' by 200' area of the lot. It is shown 20 + feet from east of the west property line and 75 feet north of the south property line.
2. The temporary mobile home is proposed to be a residence for a member of the family. This would be to provide a second residence on the site so that family members can provide medical assistance and supervision while allowing for independent living.
3. The temporary mobile home would use existing waste disposal and well on the site.

4. The mobile home is on site and would be located behind the house at the southwest corner of the lot. Vehicles would use the same driveway.
5. The mobile home would be allowed only while the family member resides in the mobile home and only while under the health care assistance of the members of the family. The special permit for the mobile home is annually renewable to re-certify that the above conditions are true.
6. The use of this provision of the code is intended by the County Board for family medical related reasons only. A letter from a physician is provided that documents that the sister, Ms Leah Penny, suffers from severe, debilitating osteoarthritis and needs assistance.
7. The existing site has two trailers and many scrap vehicles. The "blue" trailer to the south will be removed and the "pink" trailer will be the one used. The trailer will have to meet all codes for placement and hookups. The Building and Safety Department is working with the land owner to clean up the scrap and abandoned vehicles on other areas of the lot.

CONDITIONS:

Site Specific:

1. This approval permits one mobile home as a second residence on the lot.
2. This permit will apply for one year from the date of approval, after which the permit may be renewed on a yearly basis by the Building and Safety Department, if the mobile home is still used by a member of the family and that individual is receiving medical care or supervision. The application for renewal shall be the responsibility of the owner.
3. The existing "blue" trailer to the south will be removed and the trailer approved by this permit sited as shown on the plan and subject to all county codes.

General:

4. Before receiving building permits:
 - 4.1 The construction plans shall comply with the approved plans.

STANDARD CONDITIONS:

5. The following conditions are applicable to all requests:

- 5.1 Before occupying the mobile home all development and construction shall have been completed in compliance with the approved plans.
- 5.2 Before occupying this mobile home, City/County Health Department is to approve the water and waste water systems.
- 5.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
- 5.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
- 5.5 The County Clerk shall file a copy of the resolution approving the permit and the letter of acceptance with the Register of Deeds. The Permittee shall pay the recording fee in advance.

Prepared by:

Mike DeKalb, 441-6370, mdekalb@lincoln.ne.gov
Planner
January 25, 2006

APPLICANT: Ron Schuster
1905 W. Princeton Road
Martell, NE 68404
(402) 787-7425

OWNER: Ron Schuster

CONTACT: Ron Schuster



2005 aerial

County Special Permit #06002 SW 14th St & Princeton Rd

Princeton Rd



Zoning:

R-1 to R-4	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 21 T7N R06E

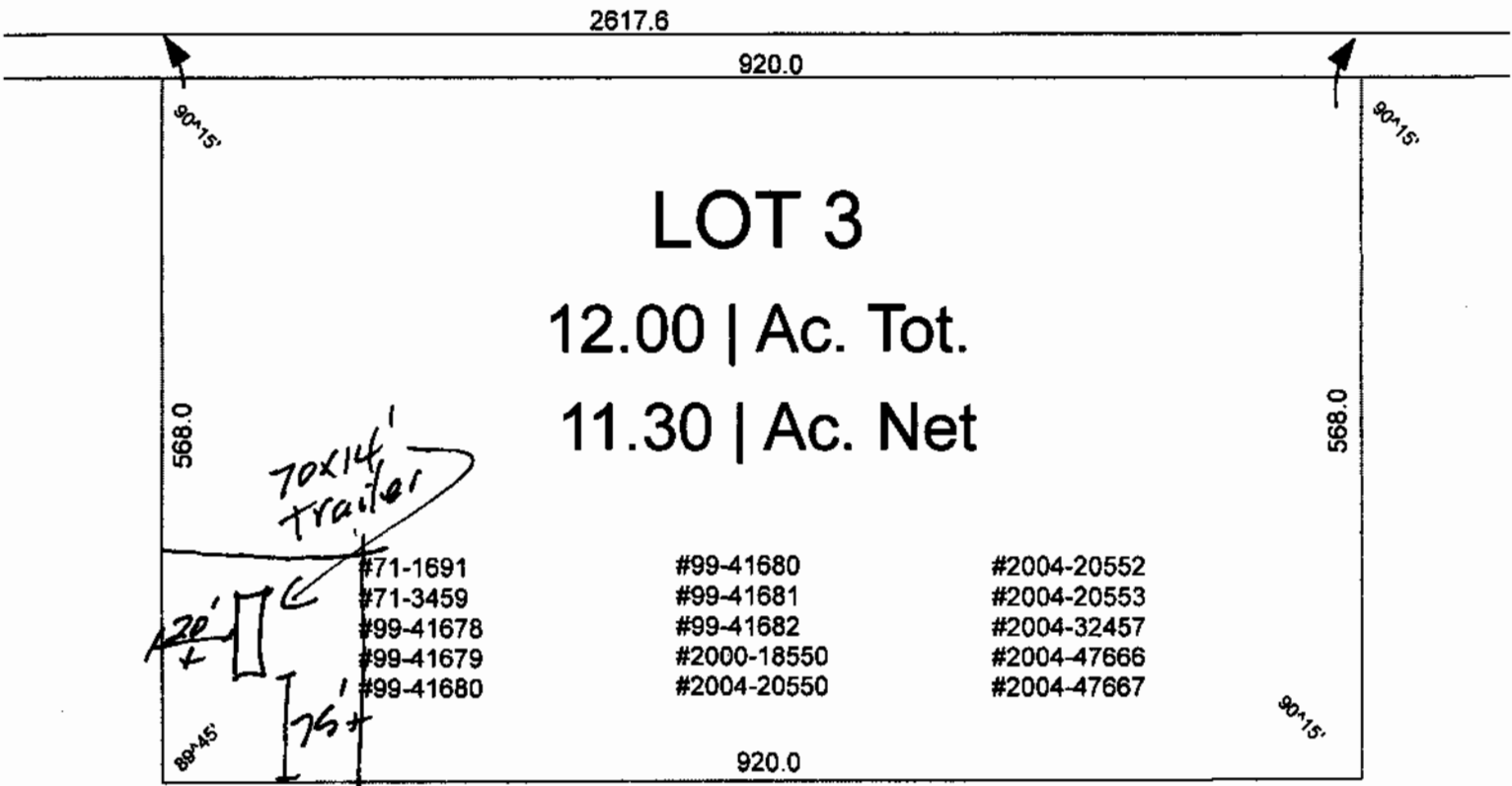


Zoning Jurisdiction Lines
City Limit Jurisdiction

SW 29th St

SW 14th St

Pella Rd



200x200' area of application
in S.W. corner.

County Special Permit #06002
SW 14th St & Princeton Rd

LOT 12

1/4/06

To Whom it May Concern

I Ron Schuster am applying for a special permit to have a mobil home moved on my place to take care of my sister Leah, due to medical needs as described in the attached letter.

There are some days in colder weather

She can hardly move around at all

let alone care for her daily needs. This

is why she needs assistance in order to

not be moved to a care facility which

is very much not her choice - She loves

the farm & it would be one very small

thing I would like to do for her is to let

her live out at the farm for the short time she has.

Thank you Ron Schuster



Lane T. Handke, M.D.

Steven J. Saathoff, M.D.

Brad Christiansen, P.A.-C

*4401 North 7th Street, Suite 100
Lincoln, NE 68521*

*Phone - (402) 441-3575
FAX - (402) 441-3577*

October 15, 2005

Re: Leah Penney

To Whom It May Concern,

I have been asked to provide a letter of medical opinion on behalf of my patient, Leah Penney. Ms. Penney suffers from severe, debilitating osteoarthritis and needs assistance in her activities of daily living. It is difficult for her to live alone because of her health needs. It has come to my attention that her family has requested to move her trailer onto their land so that they can be close to her and provide for her daily needs. I think this would be an excellent solution to this problem. I request that you consider her family's request to move her trailer onto their land because of her health condition. I would be happy to answer any additional questions that may arise within the bounds of her confidentiality.

Sincerely,

Lane T. Handke, M.D.



"Jennifer McDonald"
<jennifer.mcdonald@woodsbrothers.com>

01/12/2006 10:41 AM

To <mdekab@lincoln.ne.gov>
cc
bcc
Subject FW: Special Zoning Request

[IMAGE]

From: JenniferMcDonald
Sent: Thursday, January 12, 2006 10:39 AM
To: 'commish@co.lancaster.ne.us'
Subject: Special Zoning Request

Re: Special Zoning request for 1905 W. Princeton Rd.

I am writing this to let you know that I am against this action. The property already looks like a junk yard with all the cars and trucks parked there. Also, the buildings are falling down and now there are 2 mobile homes parked on the west side of the property. What happened to the "Keep Lancaster County Beautiful" program? As a person is heading west on West Princeton Road, they are taking in all the beauty of the country with the nice acreages, newer houses, older houses that are kept up then you come to the stop sign of 14th street and see this mess.

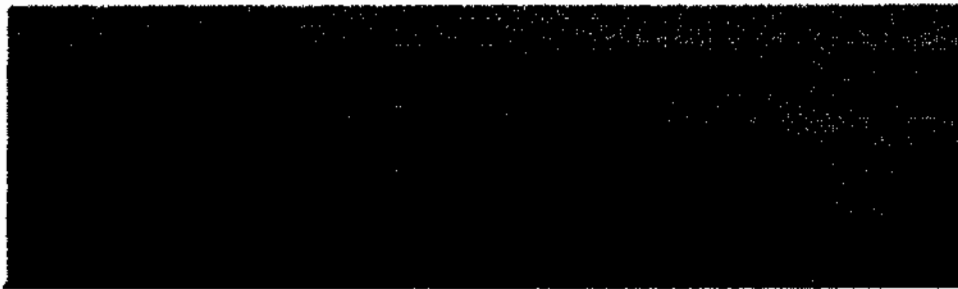
What is going to happen to our house value when we decide to sell it and they look to the east of my house and see trailers (mobile homes). From a professional point of view, this will not help the selling of my home or any of the homes in the area. It is a great eye sore for anyone traveling on this road.

Why has the county let this go on? Why are they not cleaning it up and just adding more? What happened to "Keep Lancaster County Beautiful"?

Thank you for your time,

Jennifer McDonald

Woods Bros - SouthPointe



Status of Review: Complete

Reviewed By

COUNTER

Comments:

Status of Review: Complete

Reviewed By 911

ANY

Comments:

Status of Review: Active

Reviewed By Alltel

ANY

Comments:

Status of Review: Denied

01/09/2006 7:32:59 AM

Reviewed By Building & Safety

Terry Kathe

Comments: Will need a resolution condition on the timeframe of moving off the temporary trailer when no longer occupied by the sister needing medical attention.

Not sure how we'll know when it is no longer used for the purpose stated.

There are 2 trailers on this lot at this time. The trailer not used for this Special Permit should be removed before approval of this SP. It is an active complaint on this property with our department.

Status of Review: Active

Reviewed By County Attorney

ANY

Comments:

Status of Review: Denied

01/11/2006 2:31:35 PM

Reviewed By Health Department

ANY

Comments: LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
INTER-OFFICE COMMUNICATION

TO: Mike DeKalb DATE: January 11, 2006

DEPARTMENT: Planning FROM: Chris Schroeder

ATTENTION: DEPARTMENT: Health

CARBONS TO: EH File SUBJECT: Schuster

EH Administration SP #06002

The Lincoln-Lancaster County Health Department has reviewed the special permit application and requests further information relative to the type of wastewater treatment system that will be used for the proposed mobile home.

Status of Review: Active

Reviewed By Lancaster County Sheriff Department

ANY

Comments:

Status of Review: Complete

Reviewed By Planning Department

COUNTER

Comments:

Status of Review: Complete

Reviewed By Planning Department

RAY HILL

Comments:

Status of Review: Active

Reviewed By Planning Department

MIKE DEKALB

Comments:

Status of Review: Active

Reviewed By Rural Fire District

ANY

Comments:

Status of Review: Active

Reviewed By Rural Power Company

ANY

Comments:

Status of Review: Active

Reviewed By US Post Office

ANY

Comments:
